

## Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 ARAE-00 AID-05 SSO-00 NSCE-00  
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OES-07 SIL-01 LAB-04 /091 W  
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FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC IMMEDIATE 3636

INFO USIA WASHDC

C O N F I D E N T I A L SECTION 1 OF 2 MANAGUA 3089

E.O. 11652: GDS

TAGS: EAID, SHUM, NU

SUBJECT: AN OVERVIEW OF LAND DISTRIBUTION PROBLEM IN NICARAGUA  
AND RELATED HUMAN RIGHTS QUESTIONS

SUMMARY: THIS MESSAGE GIVES AN OVERVIEW OF THE COMPLEX LAND DISTRIBUTION PROBLEM IN NICARAGUA AND DISCUSSES CHARGES THAT GUARDIA NACIONAL PERSONNEL HAVE ENRICHED THEMSELVES AT THE EXPENSE OF SUBSISTENCE FARMERS AND LANDLESS PEASANTS. WE ALSO SUBMIT COMMENTS ON SOME OF THE POINTS RAISED IN RECENT U.S. PRESS ARTICLES, PARTICULARLY AS THEY IMPINGE ON IMPORTANT HUMAN RIGHTS QUESTIONS IN NICARAGUA. END SUMMARY.

INTRODUCTION:

1. EMBASSY HAS RECEIVED VARIOUS INDICATIONS OF INTEREST IN WASHINGTON ON THE SUBJECT OF LAND TENURE IN NICARAGUA AS IT IS AFFECTED BY THE GON'S COUNTER-INSURGENCY OPERATIONS AND BY ALLEGED LAND GRABBING ON THE PART OF GUARDIA NACIONAL (GN) PERSONNEL. THESE EXPRESSIONS OF INTEREST ARE DOUBTLESS PROMPTED IN PART BY RECENT ARTICLES ALLEGING VIOLATIONS OF THE HUMAN RIGHTS OF CAMPESINOS IN NORTHERN AREAS OF NICARAGUA. THE MOST RECENT SUCH ARTICLE WAS  
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THAT WRITTEN BY MS. PENNY LERNOUX AND PUBLISHED IN THE WASHINGTON POST AND MIAMI HERALD. EMBASSY IS FULLY AWARE THAT HUMAN RIGHTS ABUSES HAVE OCCURRED IN NICARAGUA AND HAS BROUGHT TO WASHINGTON'S ATTENTION REPORTS OF SUCH ABUSES AS THEY HAVE COME TO EMBASSY'S ATTENTION, DIRECTLY OR INDIRECTLY. THE EMBASSY HAS NO REASON TO DOUBT THAT SOME HUMAN RIGHTS ABUSES PERSIST AND CONSIDERS IT LIKELY THAT SOME GN PERSONNEL HAVE ENRICHED THEMSELVES AT THE EX-

PENSE OF CAMPESINOS AND OTHER RURAL ELEMENTS. HAVING SAID THIS, HOWEVER, AND IN THE INTEREST OF SEPARATING FACT FROM FICTION--INsofar AS EMBASSY CAN ASCERTAIN THE FACTS--AND IN THE INTEREST OF SERVING MORE EFFECTIVELY THE HUMAN RIGHTS CAUSE IN NICARAGUA, EMBASSY WOULD LIKE TO SET FORTH HERIN THE BACKGROUND RELATING TO LAND DISTRIBUTION IN NICARAGUA AND TO MAKE SOME COMMENTS ON THE CHARGES MADE IN THE LERNOUX ARTICLE.

BACKGROUND:

2. LAND PROBLEMS IN NICARAGUA ARE SIMILAR TO THOSE OF OTHER LESS DEVELOPED COUNTRIES WHERE LAND GENERALLY MEANS SUBSISTENCE FARMING FOR THE POOR CAMPESINO, BUT STATUS AND EXPORT EARNINGS FOR THE WEALTHY LAND OWNER. UNLIKE MANY LESS DEVELOPED COUNTRIES NICARAGUA STILL HAS VIRGIN TERRITORY AND AN EXPANDING AGRICULTURAL FRONTIER. ON THE FRONTIER, LAND HAS LITTLE ECONOMIC VALUE EXCEPT FOR CATTLE RAISING BECAUSE OF LACK OF INFRASTRUCTURE, E.G., TRANSPORTATION. PIONEERS IN THE FRONTIER AREAS, THEREFORE INCLUDE RANCHERS AS WELL AS LANDLESS CAMPESINOS WHO ATTEMPT TO EKE A SUBSISTENCE OUT OF TRADITIONAL FARMING. LAND CLAIMS ARE BASED ON REGISTRY AS WELL AS HOMESTEADING (AFTER MINIMUM OF THREE YEARS). A FURTHER COMPLICATION IN THE ZELAYA AREA IS THE EXISTENCE OF HISTORIC LAND GRANTS TO MOSQUITO INDIANS.

3. COMPETING CLAIMS AND PERIODIC VIOLENCE ARE VIRTUALLY INEVITABLE IN SUCH A FLUID SITUATION. THE CONFLICT BECOMES MORE ACCENTUATED WITH THE INTRODUCTION OF A ROAD AND THE RESULTANT RAPID INCREASE

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IN UTILITY AND VALUE OF NEARBY LAND.

4. THE NICARAGUAN AGRARIAN INSTITUTE (IAN) IS TACKLING THE LAND OWNERSHIP PROBLEM. BETWEEN 1964-74, IAN APPROVED 17-813 TITLES TO LAND IN THE FRONTIER REGION. OF THESE 6,740 TITLES HAVE GON TO SETTLERS WITH AN AVERAGE FARM SIZE OF 83 ACRES. ALONG THE NEWLY OPENED ROAD TO THE EAST COAST (FROM LA ROSITA TO PUERTO CABEZAS), THE IAN HAS RECENTLY FROZEN ALL LAND TRANSACTIONS UNTIL THE AREA CAN BE SURVEYED. IN THE FUTURE THE GON INTENDS TO SURVEY AND DETERMINE LAND USE AND ESTABLISH PRODUCTIVE USE LEVELS FOR TITLING PRIOR TO INTRODUCING NEW ROADS. USAID/N IS CONSIDERING THE PROVISION OF LIMITED DEVELOPMENT PLANNING ASSISTANCE TO THIS PROJECT IN FY 79.

5. NICARAGUA'S PEASANT FARMERS (ABOUT 60,000) HAVE TRADITIONALLY LACKED ACCESS TO MODERN FACTORS OF PRODUCTION (SEEDS, FERTILIZERS, ETC.) AND ACCESS TO MARKETS SO THAT THEY HAVE NOT BEEN ABLE TO COMPLETE EFFECTIVELY FOR CULTIVABLE LAND. AS A RESULT, MEDIUM AND LARGE COTTON, COFFEE AND SUGAR CANE HOLDINGS HAVE EVOLVED WHICH OCCUPY THE MAJORITY OF CULTIVABLE LAND. THIS IS ECONOMICALLY LOGICAL BUT CREATES SOCIO/ECONOMIC INEQUITIES. THE GON RESPONSE, WITH AID SUPPORT, HAS BEEN A MAJOR PROGRAM FOR SMALL FARMERS

(INVIERNO) WHICH INCLUDES NOT ONLY CREDIT TO PROVIDE ACCESS TO CAPITAL INPUTS BUT ALSO ACCESS TO LAND VIA A LAND SALE GUARANTEE PROGRAM COMPLEMENTED BY LAND TAX REFORMS. THE INITIAL TARGET FOR THE LAND SALE GUARANTEE PROGRAM (10,000 SMALL FARMERS) IS PROBABLY IN EXCESS OF REALISTIC DEMAND IN THE SETTLED REGION. THIS IS BECAUSE FARM LABOR WAGES HAVE BEGUN TO INCREASE AND SHOULD CONTINUE TO DO SO AS LESS LABOR IS AVAILABLE. THUS THE GON IS ASSISTING THE SMALL FARMER TO DIVERSIFY HIS PRODUCTION AND, WHILE LANDLESS PEASANTS MAY BECOME SMALL FARMERS IF THEY CHOOSE, THE GON RECOGNIZES THAT THEY CAN BE ASSISTED MORE RAPIDLY BY INCREASING WAGES AND PROVIDING MINIMUM ESSENTIAL SERVICES.

COMMENTS ON LERNOUX ARTICLE:

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FM AMEMBASSY MANAGUA  
TO SECSTATE WASHDC IMMEDIATE 3637  
INFO USIA WASHDC

C O N F I D E N T I A L SECTION 2 OF 2 MANAGUA 3089

6. MS LERNOUX'S JUNE 1977 ARTICLE MAKES REFERENCE TO A PASTORAL LETTER DISTRIBUTED BY NICARAGUA'S BISHOPS IN FEBRUARY 1977 THIS LETTER WAS ORIGINALLY DRAFTED IN MID-1976 IN REACTION TO REPORTS OF SEVERE REPRESSION OF CAMPESINOS, WHICH ALLEGEDLY OCCURRED EARLIER THAT YEAR.. WE UNDERSTAND THAT DELAY IN THE LETTER'S RELEASE WAS CAUSED BY DIFFERENCES AMONG VARIOUS GROUPS OF THE CLERGY OVER ITS CONTENT, ITS CONCLUSIONS AND DESIRABILITY OF MAKING IT PUBLIC AT ALL.

7. ALTHOUGH THE PASTORAL LETTER MAKES NO REFERENCE TO "OVER 200 PEASANTS HAVING BEEN KILLED IN A COUNTER-INSURGENCY CAMPAIGN," IT DOES DESCRIBE A STATE OF TERROR WHICH CAUSED CAMPESINOS TO FLEE AND DOES REFER TO HUMILIATING AND INHUMAN METHODS OF INVESTIGATIONS, INCLUDING SUMMARY EXECUTIONS.

8. THAT LETTER ADDRESSED OCCUPATION OF CHAPELS BY THE NATIONAL GUARD (GN) BUT DID NOT REFER TO USING THE CHAPELS FOR RAPE OR TORTURE. THIS LATTER INFORMATION COMES FROM CAPUCHIN PRIESTS. AT THE SAME TIME, THE FREQUENCY OF GN ABUSES OF CHAPELS HAS DIMINISHED IN THE PAST SIX MONTHS.

9. THE BISHOPS DID NOT ADDRESS GUERRILLA OPERATIONS OTHER THAN TO  
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REFER TO GUERRILLAS INDIRECTLY AS SELF-STYLED LIBERATORS WHO FOMENT PERSONALISTIC REVENGE AND WOULD SET THEMSELVES UP AS NEW MASTERS WITHOUT ADVANCING HUMAN LIBERTIES.

10. THE MIGRATION INTO VIRGIN TERRITORIES LIKE ZELAYA IN THE LAST DECADE HAS EXACERBATED NICARAGUA'S PERENNIAL PROBLEM OF LAND TENURE AND TITLING. LERNOUX SUGGESTS THE GN HAS MOVED ITS OPERATIONS EASTWARD INTO THE ZELAYA REGION FOLLOWING A POPULATION SHIFT OF HOME-STEADERS INTO THIS REGION IN ORDER TO CONTINUE LAND TAKEOVERS AND VIOLENCE. THERE WAS A POPULATION SHIFT EASTWARD PRECEDING THE GN SHIFT INTO THE ZELAYA REGION BUT THERE WAS ALSO A SIMILAR PRECEDING SHIFT IN THE GUERRILLA OPERATIONS OF THE FSLN INTO THIS SAME REGION. THE GN IS OSTENSIBLY IN THE REGION TO CONDUCT COUNTER-INSURGENCY OPERATIONS. DURING THESE OPERATIONS NUMEROUS PEOPLE HAVE BEEN DETAINED INCOMMUNICADO AND INTERROGATED, AND MANY GUERRILLAS, THEIR SYMPATHIZERS, GN OFFICERS AND TROOPS, LOCAL OFFICIALS, AND OTHERS WHO PROBABLY WERE INNOCENT BYSTANDERS, HAVE BEEN KILLED.

11. THE APPROXIMATELY 1,800 RANCHES HAVING A SIZE OVER 800 ACRES DO CONTROL ABOUT HALF THE FARMLAND BUT ONLY ABOUT ONE-THIRD OF THE CULTIVATED LAND. THIS IS BECAUSE MANY OF THE LARGE LAND HOLDINGS INCLUDE GRASSLAND AND BUSH WHICH IS SUITABLE ONLY FOR GRAZING AND NOT FOR CULTIVATION.

12. THERE HAS BEEN A SLIGHT UPWARD TREND IN SIZE OF LAND HOLDINGS NATIONWIDE AND A CLEAR DOWNWARD TREND IN THE NUMBER OF FARMS. LERNOUX SUGGESTS THESE SHIFTS RESULT FROM REPRESSION AND LAND GRABS BY THE RICH AND POWERFUL FROM THE POOR CAMPESINO. A MORE PLAUSIBLE EXPLANATION MIGHT BE THE RURAL-URBAN MIGRATION WHICH RESULTS FROM GREATER ECONOMIC OPPORTUNITY IN THE CITIES FOR THE CAMPESINO WHO CANNOT SUPPORT HIMSELF AND HIS FAMILY ON A SMALL HOLDING OF POOR LAND.

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13. WITH REGARD TO THE CHARGE THAT THE GN IS GRABBING CAMPESINO

LAND, POLOFF INTERVIEWD COL. (NOW GEN.) EVERTSZ ON JUNE 23. HE ACKNOWLEDGED OWNING LAND INCLUDING A FARM IN JINOTEGA WHICH IS IN THE NORTHERN ZONE BUT STATED THAT ALL OF HIS LAND WAS OWNED PRIOR TO ASSUMING COMMAND OF THE NORTHERN ZONE. HE CATEGORICALLY DENIED OWNING ANY LAND IN ZELAYA. FURTHER, HE STATED, HE PROHIBITED ANY OF THE OFFICERS UNDER HIS COMMAND FROM ACQUIRING ANY LAND EVEN AS A GIFT AND SAYS THAT THE LAND REGISTRY RECORDS IN BLUEFIELDS WILL BEAR HIM OUT. COMMENT: THERE COULD HAVE BEEN SOME LAND ACQUISITION BY GN PERSONNEL AFTER EVERTSZ'S TRANSFER TO MANAGUA A YEAR AGO OR HE COULD BE DISSIMULATING. EMBOFFS HAVE HEARD ALLEGATIONS SIMILAR TO THOSE REPORTED BY LERNOUX BUT SUCH STORIES HAVE BEEN FEW AND HAZY ON DETAILS.

14. SUMMING UP, GUERRILLA ACTIVITIES AND GN COUNTER-INSURGENCY OPERATIONS EXACERBATE AN ALREADY COMPLEX LAND TENURE PROBLEM IN FRONTIER REGIONS. USAID PROGRAMS ARE GEARED TO SUPPORT THOSE GON ACTIVITIES WHICH HELP THE POOR RURAL MAJORITY IN THE AFFECTED AREAS, AND THUS FURTHER U.S. HUMAN RIGHTS OBJECTIVES. ALTHOUGH IT IS FREQUENTLY DIFFICULT TO SEPARATE FACT FROM FICTION, THIS EMBASSY CONTINUES TO MONITOR THE HUMAN RIGHTS SITUATION CLOSELY.  
RUBENSTEIN

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## Message Attributes

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